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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/373,240	08/12/1999	GUY FOUQUET	Q055315	2369

7590 12/08/2003

SUGHRUE MION ZINN MACPEAK & SEAS PLLC  
2100 PENNSYLVANIA AVENUE N W  
WASHINGTON, DC 200373213

EXAMINER
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LUDWIG, MATTHEW J

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 12/08/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/373,240

Applicant(s)

FOUQUET ET AL.

Examiner

Matthew J. Ludwig

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-7, 9, 10 and 13 is/are rejected.
- 7) ☒ Claim(s) 4, 8, 11 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All   b) ☐ Some \*   c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is responsive to communications. Amendment B filed 10/07/03.
2. Claims 1-13 are pending in the case. Claims 9-13 have been added in accordance with Amendment B. Claims 1 and 5 are independent claims.
3. Drawings filed on 10/30/03 have been received and accepted.
4. The rejection of claims 1-8 under 35 U.S.C 103(a) as being unpatentable over Berry in view of Bugaj and further in view of Yun has been withdrawn pursuant to the Applicant's argument.

### *Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-3, 5-7, 9, 10, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosch, Peter "Reviewing two Multimedia Presentation (quasi-) Standards", IEEE, Copyright 1996.**

**In reference to independent claim 1, Rosch teaches:**

A system for accessing multimedia documents from access means based on different platforms, the multimedia document including data which describe the relationships between the contents of the respective multimedia document and the dynamic behavior of the document contents (compare to "*describing said multimedia document in a description language*"). See Rosch, pages 143-144.

Objects are transformed into HTML pages on the fly, i.e., the very moment a user request them via a standard WWW browser (compare to “*having multimedia document interpreted by said software module/browser*”). See Rosch, page 140.

Rosch teaches link objects, which express interactive behavior in a multimedia presentation presentation and consist of trigger conditions and action objects. The trigger conditions can be described using simple logical operations (compare to “*ECA formalisms being interpreted dynamically so as to enable the multimedia document to vary*”). See Rosch, page 143. The reference does not explicitly disclose a means for providing *ECA formalisms* being interpreted dynamically so as to enable the representation of a multimedia document to be varied. However, the Examiner notes that (as presently claimed) the event-condition methods, which directly affect the multimedia document would have provided a proficient means of varying a multimedia document. Because the claim limitations are to be given their broadest reasonable interpretation within the scope of the art, the event-condition methods taught by Rosch provide a reasonable interpretation of the limitations within the claim.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Rosch before him at the time the invention was made, to modify the multimedia document methods to include the event condition application methods for varying multimedia documents, because it would have provided enhanced dynamic capabilities utilizing software applications.

**In reference to dependent claim 2, Rosch teaches:**

Creating the presentation elements does not mean that all three images are visible at the same time. The reference demonstrates the relationship among elements within the coded

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multimedia presentation document. The element names taught by Rosch demonstrate a proficient technique for identifying (as presently claimed) associations between elements and formalisms.

See Rosch, page 143-144.

**In reference to dependent claim 3, Rosch teaches:**

Java/HTML as a logical and well-suited language/format for interactive multimedia documents. See Rosch, page 148. The reference does not explicitly disclose the language complying with the XML Recommendation; however, the utilization of elements within a format language demonstrates similar aspects of the XML language and would have been interchangeable within the WWW and the Internet.

**In reference to independent claim 5-7 and 9, the limitations reflect similar limitations for performing the methods as claimed in Independent claim 1-3, and in further view of the following, is rejected along the same rationale.**

**In reference to dependent claim 10, Rosch teaches:**

The elements within a multimedia document have to be in a on or off state for an event to occur. See Rosch, page 143-144. The Examiner notes that a behavior of an element does not provide a specific action and therefore a button being pressed would have provided a proficient action or behavior of an element.

**In reference to dependent claim 13, Rosch teaches:**

Links are needed for all transitions of each button element. The link specifying the transition from highlighted to pressed contains additional actions in order to enter another state of the scenario.

***Allowable Subject Matter***

7. Claims 4, 8, 11, and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

8. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

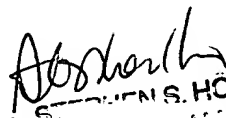
Hsu et al.                      USPN 5,581,691                      filed (8/18/95)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 703-305-8043. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

ML  
November 21, 2003

  
STEPHEN S. HONG  
REGISTERED PATENT ATTORNEY